

111TH CONGRESS
1ST SESSION

S. 1328

To provide for the exchange of administrative jurisdiction over certain Federal land between the Forest Service and the Bureau of Land Management, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 23, 2009

Mrs. FEINSTEIN (for herself and Mrs. BOXER) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To provide for the exchange of administrative jurisdiction over certain Federal land between the Forest Service and the Bureau of Land Management, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Shasta-Trinity Na-
5 tional Forest Administrative Jurisdiction Transfer Act”.

1 **SEC. 2. TRANSFER OF ADMINISTRATIVE JURISDICTION TO**
2 **THE BUREAU OF LAND MANAGEMENT.**

3 (a) IN GENERAL.—Administrative jurisdiction over
4 the Federal land described in subsection (b) is transferred
5 from the Chief of the Forest Service (referred to in this
6 Act as the “Chief”) to the Director of the Bureau of Land
7 Management (referred to in this Act as the “Director”),
8 to be administered by the Director, subject to the laws
9 (including regulations) applicable to land administered by
10 the Director.

11 (b) DESCRIPTION OF LAND.—

12 (1) IN GENERAL.—The Federal land referred to
13 in subsection (a) is the land within the Shasta-Trin-
14 ity National Forest in California, Mount Diablo Me-
15 ridian, as depicted on the map entitled “H.R. 689,
16 Transfer from Forest Service to BLM, Map 1” and
17 dated April 21, 2009.

18 (2) EXCLUSION.—The land within the Shasta
19 Dam Reclamation Zone shall—

20 (A) be excluded from the transfer of ad-
21 ministrative jurisdiction under subsection (a);
22 and

23 (B) continue to be administered by the
24 Secretary of the Interior (acting through the
25 Commissioner of Reclamation).

1 **SEC. 3. TRANSFER OF ADMINISTRATIVE JURISDICTION TO**
2 **THE FOREST SERVICE.**

3 (a) IN GENERAL.—Administrative jurisdiction over
4 the Federal land described in subsection (b) is transferred
5 from the Director to the Chief, to be administered by the
6 Chief, subject to the laws (including regulations) applica-
7 ble to National Forest System land.

8 (b) DESCRIPTION OF LAND.—The Federal land re-
9 ferred to in subsection (a) is the land administered by the
10 Director in the Mount Diablo Meridian, California, as de-
11 picted on the map entitled “H.R. 689, Transfer from
12 BLM to Forest Service, Map 2” and dated April 21, 2009.

13 (c) WITHDRAWAL.—The Federal land described in
14 subsection (b) is—

- 15 (1) withdrawn from the public domain; and
16 (2) reserved for administration as part of the
17 Shasta-Trinity National Forest.

18 (d) WILDERNESS ADMINISTRATION.—The transfer of
19 administrative jurisdiction from the Director to the Chief
20 of certain land previously designated as part of the Trinity
21 Alps Wilderness shall not affect the wilderness status of
22 the wilderness land.

23 (e) LAND AND WATER CONSERVATION FUND.—For
24 the purposes of section 7 of the Land and Water Con-
25 servation Fund Act of 1965 (16 U.S.C. 460l–9), the
26 boundaries of the Shasta-Trinity National Forest, as ad-

1 justed under this section, shall be considered to be the
2 boundaries of the Shasta-Trinity National Forest as of
3 January 1, 1965.

4 **SEC. 4. ADMINISTRATIVE PROVISIONS.**

5 (a) CORRECTIONS.—

6 (1) MINOR ADJUSTMENTS.—The Director and
7 the Chief, may, by mutual agreement, make minor
8 corrections and adjustments to the transfers under
9 this Act to facilitate land management, including
10 corrections and adjustments to any applicable sur-
11 veys.

12 (2) PUBLICATIONS.—Any corrections or adjust-
13 ments made under subsection (a) shall be effective
14 on the date of publication of a notice of the correc-
15 tions or adjustments in the Federal Register.

16 (b) HAZARDOUS SUBSTANCES.—

17 (1) NOTICE.—The Chief and Director shall,
18 with respect to the land described in sections 2(b)
19 and 3(b), respectively—

20 (A) identify any known sites containing
21 hazardous substances; and

22 (B) provide to the head of the Federal
23 agency to which the land is being transferred
24 notice of any sites identified under subpara-
25 graph (A).

1 (2) CLEANUP OBLIGATIONS.—The cleanup of
2 hazardous substances on land to which administra-
3 tive jurisdiction is transferred by this Act shall be
4 the responsibility of the head of the agency with ju-
5 risdiction over the affected land on the day before
6 the date of enactment of this Act.

7 (c) EFFECT ON EXISTING RIGHTS AND AUTHORIZA-
8 TIONS.—Nothing in this Act affects—

9 (1) any valid existing rights; or

10 (2) the validity or term and conditions of any
11 existing withdrawal, right-of-way, easement, lease, li-
12 cense, or permit on the land to which administrative
13 jurisdiction is transferred under this Act, except that
14 beginning on the date of enactment of this Act, the
15 head of the agency to which administrative jurisdic-
16 tion over the land is transferred shall be responsible
17 for administering the interests or authorizations (in-
18 cluding reissuing the interests or authorizations in
19 accordance with applicable law).

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